

AMENDED IN SENATE APRIL 21, 2005

**SENATE BILL**

**No. 310**

**Introduced by Senator Chesbro**

February 16, 2005

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An act to amend Section ~~23770~~ 24011 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

SB 310, as amended, Chesbro. ~~Wine industry: public warehouse license. Alcoholic beverages: licensing.~~

The Alcoholic Beverage Control Act imposes upon the Department of Alcoholic Beverage Control the responsibility to administer and enforce state laws with respect to alcoholic beverages, including the ~~implementation approval or denial of alcoholic beverage licensing license applications. The act requires every person operating or authorized to operate, as specified, a winery or wine cellar, as specified, to apply for, and hold, a winegrower's or wine blenders license, as appropriate for operations conducted on the licensed premises~~ Existing law provides that an applicant who is denied a license may petition the department.

This bill would also include a public warehouse license as a license to apply for, and hold, as appropriate for operations conducted on the ~~licensed premises~~ This bill would provide that an applicant may petition the department within 10 business days after the department mails the denial notice to the applicant.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 24011 of the Business and Professions  
2     Code is amended to read:

3     24011. Immediately upon the denial of any application for a  
4     license, the department shall notify the applicant in writing.  
5     Within 10 *business* days after the department mails the notice,  
6     the applicant may present his written petition for a license to the  
7     department.

8     SECTION 1. ~~Section 23770 of the Business and Professions~~  
9     Code is amended to read:

10    ~~23770. A winegrower's license, a wine blender's license, or a~~  
11    ~~public warehouse license, whichever is appropriate to the~~  
12    ~~operations to be conducted on the licensed premises, shall be~~  
13    ~~issued only to, or held by, a person qualified to operate or~~  
14    ~~operating a winery or wine cellar bonded under the internal~~  
15    ~~revenue laws of the United States. Every person operating, or~~  
16    ~~authorized under the internal revenue laws of the United States to~~  
17    ~~operate, a winery or wine cellar bonded under the internal~~  
18    ~~revenue laws of the United States shall apply for, and hold, a~~  
19    ~~winegrower's license, a wine blender's license, or a public~~  
20    ~~warehouse license, as may be appropriate for operations~~  
21    ~~conducted on the licensed premises.~~